

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, August 21, 2007, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE

Gary Duncan, Utility Division

(321) In the matter of D2002.7.91 and D2002.1.1-Qwest Corporation. Qwest Corporation has filed for approval with the Commission interconnection agreement amendments between Qwest and Comtel Assets LP dba VarTec Telecom (D2002.1.1) and Comtel Assets LP dba Excel Telecommunications (D2002.7.91).

Commissioner Raney moved to approve the interconnection agreement amendments between Qwest Corporation and Comtel Assets LP dba VarTec Telecom in Docket D2002.1.1 and between Qwest and Comtel Assets LP dba Excel Telecommunications in Docket D2002.7.91. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(322) In the matter of the approval of Commission Minutes for the week of August 13, 2007.

Commissioner Raney moved to approve the Commission Minutes for the week of August 13, 2007. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(323) In the matter of the Commission's discussion of D2007.6.70-Qwest request to approve stipulation re: proposed changes to Qwest Performance Assurance Plan and performance indicator definitions reached between Qwest and 4 CLECs, apply changes to all interconnection agreements containing the QPAP, and allow the changes to become effective no later than 60 days after the filing.

Commissioner Raney moved to authorize staff to discuss this matter further with Qwest. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division
Joel, Tierney, Utility Division

(324) In the matter of the Commission's discussion of D2007.6.66-Cenex Pipeline Oil Index Filing;

Commissioner Raney moved to issue default order that (1) approve the proposed rates, (2) inform Cenex and Front Range of the correct ceilings, and (3) require that future requests for rate changes based on the Oil Price Index must include a chart showing the proposed rates, the current rate, the prior ceiling, and the current ceiling. The Items listed in (3) are the same items that FERC requires in 18 CFR § 342.3(b). Commissioner Mood seconded the motion, which passed unanimously.

(325) In the matter of the Commission's discussion of D2007.6.67-Front Range Pipeline Oil Index Filing;

Commissioner Raney moved to issue default order that (1) approve the proposed rates, (2) inform Cenex and Front Range of the correct ceilings, and (3) require that future requests for rate changes based on the Oil Price Index must include a chart showing the proposed rates, the current rate, the prior ceiling, and the current ceiling. The Items listed in (3) are the same items that FERC requires in 18 CFR § 342.3(b). Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

(326) In the matter of the Commission's discussion of 16th Judicial District Court-DV-07-57-CELP v PSC and NorthWestern Energy;

Commissioner Raney moved to direct staff to proceed to defend the Montana Public Service Commission against this lawsuit. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(327) In the matter of the Commission's discussion of FERC ER99-3491 et al PPL Montana's Triennial Review;

Commissioner Raney moved to file a petition for judicial review in FERC ER99-3491, et.al. Commissioner Toole seconded the motion, which passed unanimously.

(328) In the matter of the Commission's discussion of D2007.4.35-NorthWestern Energy Application for Approval of an Affiliate Power Purchase Transaction between NorthWestern Energy and its Wholly-owned subsidiary, Montana Generation, LLC;

Commissioner Toole moved to dismiss the application in D2007.4.35. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(329) In the matter of the Commission's discussion of Out of State Travel for 2 staff persons to attend the Regional Oversight Committee fall Meeting in Boise, Sept. 26-27;

Commissioner Raney moved to Approval travel requests for Kate Whitney and Mike Lee to attend the ROC meeting in Boise, September 26-27. Commissioner Mood seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)